

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

WILLIAM BARTLETT,

Plaintiff,

vs.

LVNV FUNDING, LLC,

Defendant.

CV 19-113-BLG-SPW-TJC

ORDER

Pursuant to the Court's December 17, 2019, Order to Show Cause (Doc. 19), Plaintiff William Bartlett filed a response explaining the lack of necessary filings prior to the Preliminary Pretrial Conference and his absence from the Preliminary Pretrial Conference on December 17, 2019 at 11:00 a.m. (*See* Docs. 4, 20.) The Court notes that while Plaintiff filed his Show Cause response correctly, the caption contained the wrong court heading and was addressed to a state district court judge.

Accordingly, IT IS ORDERED that Plaintiff will submit a preliminary pretrial statement, as required by the PPTC Order (Doc. 4 at ¶ 6) no later than **January 21, 2020**. Failure to comply with this Order and to prosecute the case will result in sanctions, up to and including dismissal of this case with prejudice. *See* Fed. R. Civ. P. 41(b); *Malone v. U.S. Postal Service*, 833 F.2d 128, 130-131 (9th Cir. 1987) (a court may dismiss an action with prejudice for failure to obey a

court order). Upon submission of Plaintiff's preliminary pretrial statement, the Court will set up a telephonic scheduling conference to establish a case management plan.

IT IS FURTHER ORDERED that the CLERK OF COURT send Plaintiff a copy of Local Rule 16 and Federal Rules of Civil Procedure 16 and 26 with a copy of this Order.

DATED this 31st day of December, 2019.



TIMOTHY J. CAVAN
United States Magistrate Judge